

INCOMING AIRGRAM

Department of State

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611.98/10-1361

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Action

CONFIDENTIAL

PAGE 1 OF 1 PAGES

Classification

Date Sent: October 13, 1961
Rec'd:

FE-13

Info
RM/1A-2 FROM: Amembassy DJAKARTA
I-7A-10 TO: Secstate WASHINGTON
IO-7
EUR-15 NO: A-173
G-2
S/P-1 INFO: Medan A-92, Surabaya A-90.
S/S-25
H-1
E-11
P-5

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CIA-15
USIA-15
OSD-20
Army-Mt1
NAVY-4
NSA-4

In course conversation Oct 5 with Maramis, Head of American Affairs Division, FonDep, Political Counselor suggested demonstration at Amconsul's Residence, Surabaya, was in part result sensational report by PIA correspondent re absence Senator Sparkman when Chaerul Saleh called. Maramis concurred in understanding expressed by POL Counselor that incident had been treated as minor matter by Saleh and Indonesian Embassy. To confirm this Maramis translated from telegram from Indonesian Embassy, Washington, stating that: Senator Sparkman had apologized; Saleh had not only refrained from raising subject with press but had even stated to UPI and AP reporters that he had found friendly reception in America; and Embassy considered matter closed.

Prior to discussion this subject Maramis had himself raised question of highly adverse US press treatment of Belgrade Conference and Sukarno. As examples Maramis referred to characterization of Conference as "gathering of kindergarten nations," and to story in Time, September 15, which he said was relieved only by admission Sukarno "not vicious." Expanding on treatment Time has consistently given President, Maramis claimed he had in past headed off pressure for ban on Time, was present when ben decided by Sukarno. According Maramis, at breakfast at Del Prado Restaurant in Mexico City, Sukarno caught glimpse then current Time magazine, read article re his trip, instructed Maramis send message Djakarta to "ban that damned magazine."

Maramis also took occasion to express amazement that man of caliber of Eugene Black who frequently mentioned as possible Cabinet Secretary in US would be tactless in his meeting with Saleh as press reports suggest. He added, asking not to be quoted, that it was unfortunate that Saleh had taken public position on subject. Maramis is convinced that statements reportedly made by Black re necessity Indo discharge obligations Netherlands, must have been instigated by ex-Dutch Foreign Minister who assistant to Black. Maramis took occasion stress that debts involving Dutch are political matter, adding Indonesia has perfect record of repayment all foreign obligations.

JONES

• This copy must be returned to RM/1A central file with notation of action taken

ACTION	ASSIGNED TO	NAME OF OFFICER	DATE OF ACTION	DIRECTIONS TO RM/R
1067	1067	1067	10/23/61	File
OFFICE SYMBOL FE:SPA:RS Lindquist			Classification Note 8	

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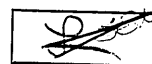
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Authority NND 949570
By GPO NARA Date 8/4/00

ACTION
is assigned to



RUTAN
Congress of the United States

House of Representatives

Washington, D.C.

October 25, 1961

Mr. Stanley
Congressional Liaison Office
Department of State
Sir:

The attached communication
is sent for your consideration.
Please investigate the statements
contained therein and forward me
the necessary information for re-
ply, returning the enclosed corre-
spondence with your answer.

Yours truly,

James B. Utt
James B. Utt, M. C.
Room 322, OHOB

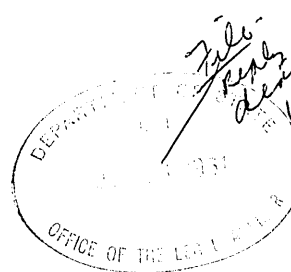
Encl.

- Re: McGowan, Lewis A.
- a. treaties with Indonesia
 - b. Logan Act
 - c. Registration of Foreign Agents--regulation & form.
 - d. Memo on claims against for. govt & proper forms...
- 16-70300-1

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10/26/61



LEGAL ADVISER

OCT 24 1961

DEPARTMENT OF STATE

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Letter and enclosures, if any,
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Lewis A. McGOWAN

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Authority *NND 949570*
By *CP* NARA Date *8/4/00*

CORRESPONDENCE REVIEW STAFF

November 1, 1961

H - Mr. Stanley:

L/T sent a copy of the constituent's letter and a copy of our reply to Representative Utt direct to Justice. I told them our referral to Justice should have been attached to this letter as a two-paper case and they will keep papers together in future cases.

We are holding the bulky enclosures in S/S-CR.

FMF
Mrs. Finamore

November 1, 1961

Dear Mr. Utt:

I refer to your communication of October 25, 1961 in which you request information which will be of assistance in replying to a letter from Mr. Lewis A. McGowan, Rancho Santa Fe, California.

There is enclosed a copy of "Treaties in Force", containing a list of treaties and other international agreements of the United States in force on January 1, 1961. A listing of bilateral agreements with Indonesia is contained on pages 90 and 91 of that publication. Changes which have occurred since the date of publication are indicated on the list. Two copies of each agreement are enclosed, except as noted on the list.

There is no bilateral trade agreement in force between the United States and Indonesia; however, both governments are contracting parties to the multilateral General Agreement on Tariffs and Trade. A number of agreements, many of them voluminous, which modify, rectify, or provide for accession to the General Agreement are also in force with respect to the United States and Indonesia. A listing of the agreements, as well as of the parties thereto, is contained on pages 224-230 of "Treaties in Force". There are enclosed two copies of the publication entitled "The General Agreement on Tariffs and Trade" which contains the amended text of the General Agreement, without the annexed tariff schedules.

It is presumed that Mr. McGowan is interested mainly in bilateral agreements; however, Part 2 of "Treaties in Force", which contains a listing of multilateral treaties and other agreements, has been marked to indicate the multilateral agreements to which Indonesia is a party.

There are enclosed two copies of the latest Foreign Service List, containing on pages 39-41 a listing of foreign service and other United States personnel assigned to Indonesia.

It is regretted

The Honorable
James B. Utt,
House of Representatives.

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By *GD* NARA Date *8/4/00*

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It is regretted that the Department does not have available copies of the Logan Act; however, the text of that Act will be found in 18 USC 953.

The administration of the Foreign Agents Registration Act of 1938, as amended, is assigned to the Registration Section of the Internal Security Division, Department of Justice, Washington 25, D.C. A copy of Mr. McGowan's letter has been sent to Mr. Nathan Levin of that Section, code 187, extension 2328, with the request that he reply to your request for information regarding the Act.

Sent direct by H.T.

An agent of a foreign government who is not required to register under the Foreign Agents Registration Act and who is not a diplomatic or consular officer or attache is required to notify the Secretary of State pursuant to 18 USC 951. Such notification may be by letter, giving complete information as to the agency relationship. No specific form is provided for this notification at the present time. The Department does not have available separate prints of 18 USC 951.

The Department does not use forms for claims against foreign governments but has memoranda explaining how claims should be prepared and documented. Two copies of its memorandum of March 1, 1961, on the preparation of claims for loss of or damage to property are enclosed with respect to Mr. McGowan's inquiry regarding claims for breach of contract. As he requested, two copies of a memorandum on the preparation of claims for personal injury or loss of life are also enclosed. In addition to the evidence which is mentioned in those memoranda, evidence should also be submitted showing that the American national exhausted such legal remedies as were available in the country concerned and in the process sustained a denial of justice, as that term is understood in international law, or that the laws of that country do not provide a remedy or, if provided, that it would be futile to attempt to exhaust such remedy. The requirement for exhaustion of legal remedies is based upon the generally accepted rule of international law that international responsibility may not be invoked as regards reparation for losses or damages sustained by a foreigner until after exhaustion of the remedies available under local law. This, of course, does not mean that "legal remedies" must be exhausted if there are none to exhaust or if the procurement of justice would be impossible. It is not necessary that an American national who is preparing a formal claim for presentation to the Department file preliminary information about the claim. Consequently, no application forms are available or necessary.

As you requested, the letter addressed to you by Mr. McGowan is enclosed.

If I can be

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By GP NARA Date 8/4/00

- 3 -

If I can be of any further assistance, please do not hesitate to write again.

Sincerely yours,

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Brooks Hays
Assistant Secretary

Enclosures:

- ✓ 1. Letter from Mr. McGowan.
- ✓ 2. TIAS 3513, 4086, 4512, 4632, 4248, 4335, 4412, 4516, 4623, 4616, 4709, 4557, 4287, 4523, 4820, 4095, 3624, 2762, 2484, 3406, 2306, 2768, 1723, 2122, 1750, 2820, 4706, (two copies each).
- ✓ 3. TS 256, 436 (two copies each).
- ✓ 4. Foreign Service List. (two copies).
5. Suggestions for Preparing Claims for Loss of or Damage to Property - Real or Personal (two copies).
- ✓ 6. Suggestions for Preparing Claims for Personal Injury or Loss of Life (two copies).
- ✓ 7. "Treaties in Force".
- ✓ 8. "The General Agreement on Tariffs and Trade" (two copies).

L:L/T:SEN:11:sen
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Miss Kallio
Jen

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TAB #: 10

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LTR W/ATT

FR WILLIAMS

TO MCCONAUGHY

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